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13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA, ) CR No. 07-0594 PJH  
 18 Plaintiff, )  
 19 v. )  
 20 JEFFREY BENJAMIN HARRISON, )  
 21 Defendant. )  
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20 With the agreement of the parties, and with the consent of the defendant, the Court enters  
 21 this order extending time from calculations under the Speedy Trial Act (18 U.S.C. § 3161) from  
 22 November 21, 2007 to January 8, 2008. The parties agree, and the Court finds and holds, as  
 23 follows:

24 1. The defendant is presently charged by criminal information for a violation of 18  
 25 U.S.C. §2252(a)(4)(B) and (a)(1). Currently, the matter is scheduled for a change of plea hearing  
 26 before the Honorable Phyllis Hamilton at 1:30 p.m. on January 8, 2008.

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 28 Stipulation and [Proposed] Order Excluding  
 Time CR No. 07-0594 PJH

1       2. The attorney for the defendant is continuing the process of reviewing initial discovery  
2 from the government and has employed the assistance of an expert consultant to review the  
3 discovery - this consultant is not available until mid-December to assist the attorney for the  
4 defendant; and the attorney for the defendant believes that an exclusion of time from calculations  
5 under the Speedy Trial Act is necessary to allow the defense to effectively prepare in light of  
6 these facts and that the continuance and exclusion is in the defendant's best interests and is with  
7 the defendant's knowledge and consent; and the attorney for the defendant agrees that the  
8 exclusion of time from November 21, 2007, to January 8, 2008 is appropriate under the Speedy  
9 Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv);

10      3. The government attorney will be unavailable due to a pre-planned vacation from  
11 December 21, 2007 through January 4, 2008;

12      3. The defendant understands and joins in the request to exclude time from Speedy Trial  
13 Act calculations from November 21, 2007, to January 8, 2008 for the reasons stated above; and

14      4. The government agrees to the exclusion of time from Speedy Trial Act calculations for  
15 the above reasons, and believes it is appropriate in light of the circumstances.

16      5. The Court finds that there is good cause for the exclusion of time under 18 U.S.C. §  
17 3161, and that the ends of justice served by granting this continuance outweigh the best interests  
18 of the public and of the defendant in a speedy trial and the prompt disposition of criminal cases.  
19 18 U.S.C. § 3161(h)(8)(A). The Court further finds that granting this continuance is necessary to  
20 ensure continuity of counsel and failure to grant the continuance would deny counsel for all  
21 parties reasonable time necessary for effective preparation taking, into account the exercise of  
22 due diligence under 18 U.S.C. § 3161(h)(8)(B)(iv).

23      Accordingly, and with the consent of the defendant, the Court orders that the period from  
24 November 21, 2007, to January 8, 2008, be excluded from the Speedy Trial Act calculations  
25 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

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27      IT IS SO STIPULATED.  
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2 DATED: January 7, 2007  
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6 DATED: January 7, 2007  
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8 IT IS SO ORDERED.  
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10 DATED: 1/8/08  
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/S/  
JOSHUA B. EATON  
Assistant United States Attorney

/S/  
EDWIN PRATHER  
Attorney for JEFFREY HARRISON

